CRLA No. 105 of 2006
(Old No. 548 of 1988)

Hon'ble Prafulla C. Pant, J.

Heard Sri Lok Pal Singh, learned counsel for the appellants and Sri S.S. Adhikari for the State.

This appeal is filed under Section 449 of Cr.P.C., by the sureties, after their bail bonds were forfeited under Section 446 of Cr.P.C.. The appellants Hanif and Nasir, were directed to deposit Rs. 5,000/- imposed as penalty, while appellants Arun Kumar Sharma, Chheda Lal and Kishan Swaroop, were directed to deposit Rs. 2,000/- each.

I have perused the impugned order dated 10.3.1988, passed by the learned Sessions judge, Pauri Garhwal, in Criminal misc. Case No. 1 of 1987. Present appellants no. 1, 2, 3 and 4 were the sureties and appellant no. 5 filed the personal bond. These points related to crime, out of which Sessions Trial No. 23 of 1986 arose. The notices were issued to the sureties and objections were filed only by Arun Kumar Sharma. The trial court gave opportunity to the sureties and the accused before the impugned order was passed and also considered the objections filed by the aforementioned appellant.

There is no illegality in the impugned order passed by the court below.

The appeal, under Section 449 of Cr.P.C., is dismissed.

The interim stay order dated 1.6.1988, passed by Allahabad High Court is hereby vacated.

Registry is directed to inform the Court concerned.

(P.C.P., J.)

Dt. 1.6.2007
NS